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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,870	11/04/2003	Tomoyuki Asahara	1163-0482P	5118

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EXAMINER

NGUYEN, CUONG H

ART UNIT PAPER NUMBER

3661

DATE MAILED: 06/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/699,870	<b>Applicant(s)</b> ASAHARA, TOMOYUKI	
	<b>Examiner</b> CUONG H. NGUYEN	<b>Art Unit</b> 3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 1/30/06 (the amendment).
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**Status of the claims**

1. Claims 1-11 are currently pending; claims 8-11 are newly added in an amendment submitted on 1/30/06.

***Priority***

2. This application has a JP priority dated 1/07/2003

***Drawing***

3. This application has been filed with 5 sheets of formal drawings, and they are accepted for examinations.

***Response***

4. Because the applicant amends independent claims 1, and 8; different grounds of rejections are applied. The arguments on prior grounds of rejections are moot.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

5. **Claims 1-5, and 7-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narioka (US Pat. 6,148,090) , in view of Microsoft Word.**

Narioka teaches a navigation system using Internet (see Narioka, Fig.3), comprising:

- a communication unit for receiving information on a specific point via a predetermined “ line (see Narioka, Fig.2 refs. ST3-ST7, ST15, ST16);
- a display control unit for displaying an image that contains information on the specific point received by the communication unit (see Narioka, Figs.3, 5);
- a character data extracting unit (see Narioka, “cross information”/ “passing point information” in the abstract; claims 1-5, 11) for extracting data; and
- a route searching unit for searching routes (see Narioka, col.1 lines 13-23) based on conditions set in position information on the specific point received by the communication unit, and in the specific information extracted by the character data extracting unit (see Narioka, “cross information”/ “passing point information” in the abstract; claims 1-5, and 11).

Narioka does not disclose about extracting data from displayed images.

However, Microsoft’s Word has performed that well-known extracting function while editing a document – i.e., a user only needs to “high-light” a portion of displayed character string, then using a pull-down menu for Edit, then perform a “Find and Replace” function in that document.

Narioka also discloses a communication unit to receive information on the specific point from home pages on the Internet (e.g., an antenna, or a communication port).

It would have been obvious to one of ordinary skill in the art at the time of invention to implement Narioka’s system by adding above Microsoft Word function on finding a character string on displayed images for the convenience of a driver to copy exactly a character string having in a database with no typo error.

A. As to dependent claims 3, and 9: Narioka suggests that receives information are from a specific point from home pages on the Internet.

Narioka does not explicitly disclose that a character data extracting unit extracts character string data of **time** information from among displayed images.

However, Narioka teaches an extracting unit is used to obtain required least time between two points on the map (see Narioka, claim 5)

- It would have been obvious to one having ordinary skill in the art at the time the invention was made to implement the above disclosure of Narioka to disclose a character data extracting unit extracts character string data of time information from among displayed images for the advantage of showing an extra necessary data such as an optimum required time.

B. As to dependent claims 4, and 10: Narioka's system searches for routes (see Narioka, col.1 lines 13-23). The examiner respectfully submits that "through which a user will be able to reach the specific point by the time set in the time information extracted by the character data extracting unit" is for intended use of that system claim.

Further, Narioka is silent that extracted time information is used by a driver.

However, this is also considered as an alternative estimation of a required time to reach a destination because a driver is acknowledge of a fundamental calculation for  $\text{distance} = \text{time} \times \text{velocity}$ ; wherein velocity is provided by that vehicle's odometer, distance is provided by Narioka's navigation system.

It would have been obvious to one of ordinary skill in the art at the time of invention to implement Narioka's system by adding time information in displayed images for the convenience of a driver to know extra information such as a required driving time

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to a destination.

C. As to dependent claims 5, and 11: Narioka does not disclose that extracted time/charge information is among displayed images.

However, this specific “information” is considered as non-functional descriptive material that do not change the claimed step of referring to detailed information (please note that detailed information are not specified in this pending invention). Narioka’s system is capable to show time/charge information in displayed images in addition to text information (see Narioka, claims 5, and 15).

It would have been obvious to one of ordinary skill in the art at the time of invention to implement Narioka’s system by adding time information in displayed images for the advantage of a driver to estimate extra required driving time/charge information to get to a destination.

D. As to dependent claim 7: Narioka does not disclose that a display control unit displays a message representative of the failure is Point of Interest (POI) data.

However, Narioka’s navigation system has a display control unit to displays information; wherein that information may be an input failure (e.g., entering a wrong street/POI name that the navigation system could not recognize; Narioka’s navigation system would issue a message for searching failures.

It would have been obvious to one of ordinary skill in the art at the time of invention to implement Narioka’s system by displaying a message representative of the failure is Point of Interest (POI) data to acknowledge a driver of a corrected input should be entered for a search result on that navigation system.

6. **Claims 6, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narioka (US Pat. 6,148,090) in view of Dukach et al. (PUB No. US 2004/0036622 A1)**

Narioka teaches a route searching unit; he does not teach that “the sum of charges obtained by adding a charge set in the charge information extracted by the character data extracting unit and a charge to be incurred to the specific point does not go beyond the previously set charge”.

However, a navigation system on a taxi-cab would give information about charge information of a trip to a rider (see Dukach et al., para. [0201] and para. [0160]).

It would be obvious to one of ordinary skill in the art at the time of invention to implement Narioka’s system with Duckach et al. by disclose that “the sum of charges obtained by adding a charge set in the charge information extracted by the character data extracting unit and a charge to be incurred to the specific point does not go beyond the previously set charge” for the advantage of a taxi rider to acknowledge about a clear and accurate control of taxi charges is disclosed in advance.

### ***Conclusion***

7. Amended claims 1-11 are not patentable. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicants are reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CUONG H. NGUYEN whose telephone number is 571-272-6759. The examiner can normally be reached on 9:00 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THOMAS G. BLACK can be reached on 571-272-6956. The Rightfax number for the organization where this application is assigned is 571-273-6759.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Please provide support, with page and line numbers, for any amended or new claim in an effort to help advance prosecution; otherwise any new claim language that is introduced in an amended or new claim may be considered as new matter, especially if the Application is a Jumbo Application.

  
CUONG H. NGUYEN  
Primary Examiner  
Art Unit 3661